

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:10CR384
)	
Plaintiff,)	JUDGE SARA LIOI
)	
vs.)	
)	DEFENDANT’S SENTENCING
FRANK RUSSO,)	MEMORANDUM
)	
)	
Defendant.)	

Defendant Frank Russo moves this Honorable Court, pursuant to the Government’s motion to reduce his sentence under Rule 35(b)(1), to grant him a six-level reduction. For the reasons stated in the attached Memorandum in Support, this reduction is warranted.

Respectfully Submitted,

s/ Roger M. Synenberg
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MEMORANDUM IN SUPPORT

I. INTRODUCTION

On September 16, 2010, Frank Russo pleaded guilty to a 21-count Information. Prior to sentencing in November 2010, Mr. Russo informed the Government of his intent to cooperate. Mr. Russo committed himself to redemption, including devoting his next two years to assisting the Government in its investigation and prosecution of numerous individuals in the Cuyahoga County corruption probe. He attended dozens of proffer sessions, spent hundreds of hours listening to wiretaps and reviewing transcripts, and days testifying for the Government. Mr. Russo's cooperation assisted the Government obtaining convictions of fifteen individuals. Four of those convictions were obtained through jury verdicts at trials in which Mr. Russo testified. Eleven of the convictions were the result of guilty pleas. No cooperating defendant in this investigation was called upon more often to testify than Mr. Russo.

The wide-ranging scope, breadth, and quality of his assistance saved the Government an immeasurable amount of resources. Mr. Russo's assistance was not only substantial, it was exceptional.

Mr. Russo's assistance in the county corruption probe warrants a six-level reduction, to a Total Offense Level of 33. At a Criminal History Category I, Mr. Russo's advisory guideline range would be 135 to 168 months. On the day of the scheduled hearing in this matter, Mr. Russo will have served 75 months and 5 days. A sentence at the low end of this range is appropriate as it adequately reflects the quality and character of his cooperation, would still represent the second longest sentence in the county corruption probe, and would not result in an unwarranted sentencing disparity.

II. FACTUAL AND PROCEDURAL BACKGROUND

On September 9, 2010, Frank Russo was charged in a 21-count Information. [Doc. No. 1] On September 16, 2010, he pleaded guilty to the Information in exchange for a plea agreement, which included the following: (1) forfeit \$155,000 from his Ohio Public Employees Retirement System (OPERS) account; (2) forfeit the cash surrender value of his life insurance policy; (3) pay \$35,000, which was one half of the purchase price of his condominium; (4) donate the entire balance of his campaign account to various charities; and (5) tender 30 consecutive monthly payments of \$1,500 from his OPERS distributions to the United States. [Doc. No. 7]¹

In November 2010, prior to sentencing, Mr. Russo agreed to fully cooperate with the Government. In exchange, the Government agreed to file a Rule 35 Motion requesting that the court reduce Mr. Russo's sentence.

On December 16, 2010, the court sentenced Mr. Russo to 262 months in prison. Mr. Russo was ordered to serve three years of supervised release upon completion of his prison sentence, and was ordered to pay \$6,961,905.00 in restitution. [Doc. No. 19 (Minutes of Proceedings, Doc. No. 21 (Judgment), and Doc. No. 22 (Amended Judgment)]

The Government thereafter filed three motions to postpone Mr. Russo's reporting date on May 11, 2011, June 17, 2011, and February 6, 2012. [Doc. Nos. 26, 27 and 30] Its requests were based on its ongoing need for Mr. Russo's assistance in its cases against the other defendants involved in the county corruption probe.

On December 14, 2011, the Government timely filed a Rule 35 motion requesting the court to reduce Mr. Russo's sentence because he provided substantial assistance to the

¹ In retrospect, Mr. Russo agreed to and paid more stringent fraud penalties than any other defendant in the county corruption probe.

Government in investigating and prosecuting persons who were targets and subjects of its investigation into corruption in Cuyahoga County. [Doc. No. 28] The Government requested a hearing on the motion after Mr. Russo substantially completed his cooperation. Mr. Russo continued to assist the Government after it filed its Rule 35 motion by spending countless hours preparing for his testimony against Jimmy Dimora, Anthony Calabrese, III, Samir Mohammed, Hamdi “Sam” Qasem, and Michael Gabor, and ultimately testifying against Mr. Dimora and Mr. Gabor.

On October 15, 2012, the Government filed a motion requesting a Rule 35 hearing. [Doc. No. 36] The Government represented that Mr. Russo’s cooperation was substantially complete and it therefore sought a hearing to “...apprise the Court of the Defendant’s cooperation and make a specific sentencing recommendation.”

On October 16, 2012, Mr. Russo filed a motion requesting a status conference prior to setting a Rule 35 hearing. [Doc. No. 37]

On October 25, 2012, the Court held a status conference and ordered Mr. Russo self-report to the United States Marshal’s Office. The Court stayed the hearing on the Government’s Rule 35 motion until the completion of the Government’s prosecution of Anthony Calabrese III.²

Mr. Russo self-surrendered to FCI Loretto on November 16, 2012. [Doc. No. 39] On January 1, 2015, Mr. Russo was transferred to FMC Devens due to several serious and ongoing medical issues, arising complications, and the need for life-saving treatment.

III. LAW AND ARGUMENT

Rule 35(b) provides that “...[u]pon the Government’s motion made within one year of sentencing, the court may reduce a sentence if the defendant, after sentencing, provided

² The federal prosecution of Calabrese concluded in June, 2013.

substantial assistance in investigating or prosecuting another person.” In making its decision, “the court may consider the defendant’s presentence assistance.” The rule also permits the court to “reduce the sentence to a level below the minimum sentence established by statute.” *Id.*

“When faced with a Rule 35(b) motion, the district court must initially decide whether the defendant did in fact render substantial assistance. . . . If [] the court determines that the defendant did provide substantial assistance within the meaning of the rule, then the rule gives the district court ample discretion. The granting of the motion is discretionary, as is the extent of any reduction given.” *U.S. v. Grant*, 636 F.3d 803, 816 (6th Cir. 2011).

Notably, while the Government may make a recommendation, the district court is not required to follow that recommendation. *Id.*; see also *id.* at 819 (Merritt, J., concurring) (agreeing that the district court has “wide discretion to go above or below the Government’s recommendation in substantial assistance cases” and that it is best to “avoid a sentencing process in which the prosecutor rather than a neutral magistrate controls the sentence.”).

“Assigning a number of years or months in prison to a defendant’s cooperation is not a task that can be carried out with mathematical certainty.” *Id.* at 817. “Determining the extent to which a sentence should be reduced would, as a matter of course, include consideration of the defendant’s activities on behalf of the Government and how much his assistance helped in the investigation or prosecution of another.” *Id.*

Courts recognize that a Rule 35(b) motion is the “counterpart” to a U.S.S.G. § 5K1.1 motion and is to be read consistently with Section 5K1.1. *Id.*, citing, *United States v. Doe*, 940 F.2d 199, 203 n. 7. See, *United States v. Alegria*, 192 F.3d 179, 184 (1st Cir.1999) (“[W]ith regard to the meaning of ‘substantial assistance,’ Rule 35(b) and USSG § 5K1.1 are birds of a feather.”). See also, Section 9-27.410 of United States Attorney’s Manual (remarking that a Rule

35(b) motion is “deemed for sentencing purposes to be the equivalent of a substantial assistance pleading.”) As such, it is appropriate to consider the Section 5K1.1 factors in ruling on a Rule 35(b) motion.

The Sixth Circuit has recognized that “the extent of the reduction might be tempered by other factors affecting the valuation[.]” *Grant*, 817. For instance, the court may consider “the context surrounding the initial sentence,” such as co-defendants’ sentences, the defendant’s level of culpability, prior criminal activity or whether the defendant is a threat to society. *Id.* “The appropriate balancing of the determinative factors tied to a defendant’s substantial assistance is within the sound discretion of the district court and often arises from the specific context of each case.” *Id.*

All of the above-mentioned considerations weigh in favor of a six-level reduction for Mr. Russo.

A. An evaluation of Mr. Russo’s substantial assistance under the U.S.S.G. § 5K1.1 factors demonstrates the extraordinary character of his cooperation.

U.S.S.G. § 5K1.1 states:

Upon motion of the government stating that the defendant has provided substantial assistance in the investigation or prosecution of another person who has committed an offense, the court may depart from the guidelines.

(a) The appropriate reduction shall be determined by the court for reasons stated that may include, but are not limited to, consideration of the following:

- (1) the court's evaluation of the significance and usefulness of the defendant's assistance, taking into consideration the government's evaluation of the assistance rendered;
- (2) the truthfulness, completeness, and reliability of any information or testimony provided by the defendant;
- (3) the nature and extent of the defendant's assistance;

(4) any injury suffered, or any danger or risk of injury to the defendant or his family resulting from his assistance;

(5) the timeliness of the defendant's assistance.

Each of these factors strongly weighs in favor of a six-level reduction for Mr. Russo.

1. Mr. Russo's assistance was significant, valuable, and extensive. (§ 5K1.1(a)(1) and (3)).

Mr. Russo testified in the trials of four individuals — more than any other cooperating witness in the investigation. Each individual against whom Mr. Russo testified — Bridget McCafferty, Steven Terry, James Dimora, and Michael Gabor — was convicted. Mr. Russo's cooperation, as the Government is aware, was also a significant factor in the decision of several individuals to plead guilty in lieu of proceeding to trial.

Mr. Russo provided information against and agreed to testify for the Government in the event that the following individuals proceeded to trial: Damir Blečić, Harlan Diamond, Michael Forlani, Anthony Melaragno, Charles Randazzo, Ronald Romanini, Jerry Skuhrovec, and Daniel Weaver. Each of these individuals pleaded guilty only after Mr. Russo assisted the Government.

Since agreeing to cooperate in November 2010, Mr. Russo satisfied every request of the Government. He met with Government agents on approximately 50 occasions.

Mr. Russo reviewed countless documents, thousands of transcripts of audio recordings, and reviewed dozens of plea agreements and court filings at the Government's request. He reviewed transcripts of his trial testimony in preparation for future trials.

In March 2011, while the Government was preparing for the trials of former state court judges Bridget McCafferty and Steven Terry, Mr. Russo met with federal agents for approximately 70 hours and reviewed documentation and recordings at home for an additional 90 hours.

Mr. Russo met with Government agents at length on numerous occasions to prepare his testimony in the trials of Samir Mohammad, Hamdi “Sam” Qasem, and Anthony Calabrese III prior to their guilty pleas.

The significance of Mr. Russo’s assistance to the Government is further illustrated in the Government’s own motions to delay Mr. Russo’s report date to prison. In its motions, the Government stated:

- To date, Defendant has submitted to numerous lengthy proffer sessions and has reviewed a substantial volume of documentary evidence in anticipation of his testimony in the McCafferty, Terry and Dimora trials and as part of the continuing investigation of corruption in Cuyahoga County. This latter aspect of his cooperation is far from complete. [Doc. No. 26, at 2]
- [I]t is anticipated that Defendant will need to review numerous documents and intercepted phone calls in anticipation of his testimony in the Dimora case. In addition, as noted above, he will need to continue his meetings with investigating agents on other matters under investigation. [Id.]
- With the postponement of the Dimora trial, the United States has determined to pursue other aspects of the investigation of corruption in Cuyahoga County, some of which include the use of Defendant Russo, both as a witness and to aid the investigation by reviewing documents and intercepted phone calls. [Doc. No. 27, at 2]
- The United States is unsure whether Frank Russo’s testimony will be complete in United States v. Dimora, et al., 10CR387, currently being tried. In addition, Mr. Russo will be testifying in additional trials, the first of which is scheduled in June 2012. [Doc. No. 30, at 1-2]

Considering the extent of assistance Mr. Russo provided, the death threats he received, and the reductions that other defendants in the county corruption probe received as outlined below, it is clear that Mr. Russo’s assistance warrants a reduction greater than four levels.

The Government requested four-level, substantial-assistance reductions for nineteen defendants. Ten defendants received those reductions without any requirement to testify. The individuals who testified were Nilesh Patel, John Carroll, Timothy Armstrong, Bruce

Zaccagnini, John Valentin, Nicholas Zavarella, Charles Randazzo, Joseph Gallucci, and Ferris Kleem. With the exception of Patel, all of the individuals testified in only one proceeding.

Mr. Russo's cooperation and testimony was far more substantial than those cooperating defendants in the county corruption probe who received four-level reductions for substantial assistance. The assistance provided by the seven defendants discussed below is a representative sample of what the Government determined was deserving of a four-level, substantial-assistance reduction in the county corruption investigation:

Todd Gemma. At Mr. Gemma's December 14, 2010 sentencing, the Government made the following motion for a substantial-assistance reduction:

The government, pursuant to the plea agreement, seeks a four-level departure under Section 5K1.1 for the substantial assistance of the defendant. He immediately made the decision to cooperate when he was confronted by law enforcement officials and provided information that led to the prosecution of Mr. Carlton and Mr. Monroe, his codefendants. *Transcript of Sentencing of Todd Gemma*, Case No. 1:10CR235, 10:11-18 [Doc. No. 119].

The Government moved for a four-level reduction even though Mr. Gemma did not testify in any proceeding and only assisted in the prosecution of two individuals.

Charles E. Edwards. At Mr. Edwards's December 17, 2010 sentencing, the Government made the following substantial-assistance motion:

Your Honor, at the time the court probably understands that Mr. Edwards was indicted in the same indictment with Steve Canepa who was an employee of Maple Heights City Schools.

As the cases were trying to be resolved, Mr. Edwards agreed that he would testify against Mr. Canepa at trial if necessary. And Mr. Canepa's case went up very close to the time of trial before it was resolved.

It is the Government's position that Mr. Edwards's cooperation and the agreement to testify helped to resolve the Canepa case and, therefore, provided substantial assistance to the United States. *Transcript of Sentencing of Charles Edwards*, Case No. 1:10CR349, 4:25, 5:1-11 [Doc No. 41].

The Government based its motion for substantial assistance on Mr. Edwards's willingness to testify against one individual, Mr. Canepa, who pleaded guilty prior to trial. He testified against no one and only assisted in the prosecution of Mr. Canepa.

John Valentin. At Mr. Valentin's May 4, 2012 sentencing, the Government made the following substantial-assistance motion:

Mr. Valentin agreed to assist the Government with respect to the trial of Mr. Dimora and others, if necessary. The Court is aware that he came in and testified in Mr. Dimora's trial, and based on his assistance in that respect, the United States does move for the departure. *Transcript of Sentencing of John Valentin*, Case No. 1:09CR504,7:7-12 [Doc No. 22].

Mr. Valentin's four-level departure was based only on the testimony that he provided against Mr. Dimora. Mr. Valentin was not called to testify in any other proceeding.

Nicholas Zavarella, Charles Randazzo, Joseph Gallucci, and Pat Boyce each received four-level, substantial-assistance reductions based primarily on their information and testimony in the trial of Mr. Dimora and Mr. Gabor.

Nicholas Zavarella. At Mr. Zavarella's May 15, 2012 sentencing, AUSA Nancy Kelley made the following substantial assistance motion:

"Yes, Your Honor. We do at this time request that the Court apply the additional one level for acceptance of responsibility, and we also ask the Court to enter a four-level reduction for substantial assistance to authorities.

As the Court is well aware, Mr. Zavarella testified at the trial of Mr. Dimora and Mr. Gabor, and we do recommend a four-level reduction." *Transcript of Sentencing of Nicholas Zavarella*, Case No. 1:10CR76, 4:15-22 [Doc. No. 21].

Charles Randazzo. At Mr. Randazzo's May 16, 2012 sentencing, AUSA Antoinette Bacon made the following substantial assistance motion:

“And the second is for a substantial assistance reduction of four levels for his cooperation in the investigation, which as Your Honor knows, involved testimony in the Dimora/Gabor trial, it involved providing documents to the government in connection with the county corruption investigation and making himself available upon request by the United States.” *Transcript of Sentencing of Charles Randazzo*, Case No. 1:11CR115, 8:23-25, 9:1-4 [Doc. No. 17].

Joseph Gallucci. At Mr. Gallucci’s June 6, 2012 sentencing, AUSA Antoinette Bacon made the following substantial assistance motion:

“Yes, Your Honor. The United States...moves for a four-level reduction for substantial assistance that Mr. Gallucci provided to the United States. He attended all meetings with the government as asked. He provided information that led to the prosecution and investigation of others. And as this Court is aware, he testified most recently in the joint trial of Mr. Dimora and Mr. Gabor.” *Transcript of Sentencing of Joseph Gallucci*, Case No. 1:09CR544, 5:18-25, 6:1-2 [Doc. No. 24].

Pat Boyce. At Mr. Boyce’s April 15, 2013 sentencing, AUSA Henry DeBaggis made the following substantial assistance motion:

“Your Honor, the government moves for a four-level departure under Guidelines Section 5K1.1 based on the defendant’s substantial assistance to law enforcement.

Mr. Boyce met with us several times, provided useful information in the corruption investigation, and most recently he testified at Mr. Forlani’s sentencing hearing before this court, so we believe that four levels is justified.” *Transcript of Sentencing of Pat Boyce*, Case No. 1:11CR556, 12:16-24 [Doc. No. 22].

2. Mr. Russo’s assistance was truthful, reliable, and complete. (§ 5K1.1(a)(2))

Unlike some of the defendants who received four-level reductions, Mr. Russo’s assistance was trustworthy and consistent. The Government never had to question the veracity of information provided by Mr. Russo. At least six defendants in the county probe lied to the government while trying to resolve their cases. Despite the extra cost and waste of governmental

resources expended in chasing the lies of these defendants, the Government nevertheless resolved the cases of two such defendants with recommendations for four level 5K1.1 reductions.

For example, the Government required Ronald Romanini to renegotiate his plea agreement based on his providing untruthful and incomplete information. Even though the Government believed that Mr. Romanini "...concealed probably the most serious aspect of his criminal conduct from the Government at the investigative stage[,]" it still sought a four-level reduction because it believed his cooperation was a contributing factor to Mr. Russo's guilty plea. *Transcript of Sentencing of Ronald Romanini*, Case No. 1:10CR416, 7:9-10 [Doc No. 34].

The Government also determined that Santina Klimkowski lied about the amount of kickbacks she received, resulting in Ms. Klimkowski pleading guilty to an additional charge as part of her plea agreement. Despite their violation of trust by their lies, the Government requested a four-level reduction for Mr. Romanini and Ms. Klimkowski.

Conversely, Mr. Russo provided truthful information and testimony throughout the course of his cooperation with the Government, influencing many defendants to plead guilty. His cooperation and truthfulness were never questioned.

3. Mr. Russo provided assistance despite significant risks to his and his family's safety. (§ 5K1.1(a)(4))

Mr. Russo continued to cooperate although his cooperation caused him to receive death threats. In July 2011, the Government received information of a threat to Mr. Russo's life. Mr. Russo feared for the safety of his children and grandchildren. Despite this, Mr. Russo continued to cooperate and provide truthful and complete information, which included testifying at the trial of Mr. Dimora and Mr. Gabor in February 2012.

Mr. Russo's cooperation caused irreconcilable differences between Mr. Russo and his only son, Vince. Since Mr. Russo decided to cooperate, Vince and his three children have had no contact with Mr. Russo. These lost relationships have taken a significant emotional toll on Mr. Russo.

4. Mr. Russo's cooperation was timely. (§ 5K1.1(a)(5))

The Government received the full benefit of Mr. Russo's cooperation. When Mr. Russo began cooperating, only one defendant in the county corruption probe had proceeded to trial – Thomas Greco, Jr. The scheme involving Mr. Greco was completely unrelated to Mr. Russo and Mr. Russo could not have provided any assistance in that prosecution.

The Government requested substantial assistance reductions for defendants who cooperated much later in the process than Mr. Russo. For example, Samir Mohammad and Hamdi "Sam" Qasem did not plead guilty and agree to cooperate until the day before trial. *See also*, Judge Adams's *Sentencing Memorandum* for Ronald Romanini, at 4 [Doc. 36] ("[I]t was not until February 4, 2011, more than 2 years after Romanini's initial obstructive conduct, that Romanini was truthful with the Government."). The Government moved for a four-level reduction for Mr. Romanini.

Unlike Mr. Russo, who agreed to be charged by Information, waived discovery, and filed no pretrial motions, many individuals were indicted, demanded discovery, and filed extensive pretrial motions. Regarding Mr. Mohammad and Mr. Qasem, the Government filed 15 responses to pretrial motions filed by these defendants. Mr. Mohammad's case was pending over two years prior to entering a plea while Mr. Qasem's case was pending more than 13 months prior to resolution. Mr. Russo prepared extensively with the Government for his testimony against each of these individuals. Although both Mr. Mohammad and Mr. Qasem's initial resistance to

cooperation caused the Government to expend its resources in investigating and prosecuting these cases, and although both defendants waited until the eve of trial to plead guilty, the Government moved for three level substantial assistance reductions for each.

Finally, the Government cannot demonstrate that it suffered any prejudice with respect to the timing of Mr. Russo's cooperation. Mr. Russo agreed to cooperate prior to sentence. He provided extensive and valuable assistance to the Government's investigation, aiding the Government in obtaining convictions against 15 defendants.

Mr. Russo's cooperation was timely, productive, and efficient. His honesty served the Government well and saved investigating officers and the United States Attorney's Office immeasurable resources and hours.

In light of the above, and compared to assistance provided by other defendants who received four-level sentence reductions, a six-level reduction would appropriately reflect the value of Mr. Russo's substantial assistance.

B. Contextual considerations regarding Mr. Russo's assistance establish that a six-level reduction is warranted.

The contextual considerations raised by the Sixth Circuit in *U.S. v. Grant*, supra, to-wit: co-defendants' sentences, the defendant's level of culpability, prior criminal activity, and whether the defendant is a threat to society, all counsel in favor of a six-level reduction for Mr. Russo.

1. Co-Defendants' Sentences & Level of Culpability

A sentence at the lowest part of a Level 33 range is proportionate to the sentences received by the other 63 defendants sentenced in the Government's corruption probe.

Attached as Exhibit A is a chart reflecting every sentence imposed in the investigation as well as the release date for each defendant who received a prison sentence. The chart reflects the

fairness of a 135-month sentence for Mr. Russo when considered alongside all of the other defendants' sentences in this investigation.³

Because Mr. Russo was one of the first major players in the corruption probe to agree to cooperate, it was always a concern that his Agreement may not be comparable to subsequent agreements. Reviewing the cases of Jimmy Dimora, Anthony Calabrese, III, Michael Forlani, William Neiheiser, and J. Kevin Kelley, it is evident that Mr. Russo did not receive the benefit of the bargain in his initial plea agreement, which did not contemplate the nature and extent of his complete, truthful, reliable, and uncontrovertibly useful cooperation and testimony. Mr. Russo could not contemplate the wide variation of other defendants' sentences.

Jimmy Dimora. At Dimora's sentencing, the Government discussed why Mr. Russo was deserving of a lesser sentence than Mr. Dimora. The Government stated,

To spend a moment then on the need to avoid unwarranted sentencing disparities. This court acknowledged earlier the similarities in conduct, the paralleling conduct between Russo and Dimora, that together they were at the top of the pyramid, that together they were the ones who ran the county through this criminal enterprise, and in this case, Frank Russo received a sentence of over 21 years.

And that's important because Frank Russo in this case also received acceptance of responsible [sic], because he chose to plead guilty to an information. He chose to waive his right to discovery and waived his right to trial. He did not file lengthy pretrial motions. He accepted responsibility, and by doing that, it would not be an unwarranted sentencing disparity to have Dimora sentenced higher than the 21 years that Frank Russo received. Their conduct is similar as far as criminal conduct, their positions were similar, the obstruction was similar, their ages were similar.

The only difference between them, the only tangible, objective difference is that Dimora chose one path and Russo chose another; and that if they received a similar sentence, there would be an unwarranted sentencing disparity, and that would be that Frank Russo would not have the benefit that he earned by accepting

³ To provide perspective to the sentences sought in this matter, attached as Exhibit B is a chart reflecting sentences imposed on other defendants in the United States who have been convicted of similar crimes to Mr. Russo.

responsibility, by pleading guilty and doing what the sentencing guidelines recognize deserves a lesser sentence; and that is allowing this court and allowing the government to divert its resources toward the prosecution of others and toward other matters. *Transcript of Sentencing of James C. Dimora*, Case No. 1:10CR387, at 320:4-25, 321:1-7 [Doc No. 1000].

Further, in Mr. Russo's plea agreement, the parties stipulated to a Total Offense Level of 39, after acceptance of responsibility. In contrast, after his conviction at trial, Mr. Dimora's Total Offense Level was calculated to be 40, one level higher than Mr. Russo. Mr. Dimora, however, received a sentence within the advisory guideline range for a Total Offense Level 40 (Criminal History Category I) and Mr. Russo received a sentence within the guideline range for a Total Offense Level 39 (Criminal History Category I). Based upon the Government's position that the "...only tangible, objective difference..." between Mr. Dimora and Mr. Russo was that Mr. Russo accepted responsibility for his conduct, Mr. Russo essentially received a one-level reduction for accepting responsibility. After comparison to other defendants' cases, it is clear that Mr. Russo did not receive the full benefit for accepting responsibility.

Anthony Calabrese, III. Anthony Calabrese III pleaded guilty to 18 counts, including racketeering, conspiracy to commit mail fraud and honest services fraud, Hobbs Act conspiracy, bribery concerning programs receiving federal funds, conspiracy to commit mail fraud, and mail fraud. The Government and Mr. Calabrese agreed that the crimes to which he would plead guilty involved improper payments of nearly \$550,000.

Mr. Calabrese's criminal activity spanned nearly a decade and involved contracts worth millions of dollars. He received kickbacks related to: (1) Alternatives Agency receiving county funding; (2) a \$1.8 million contract awarded by the Parma City schools; and (3) contracts totaling more than \$6 million related to the county's GIS Project. Mr. Calabrese corrupted his

status as an attorney to facilitate these crimes. His conduct caused his law firm to pay two of his clients over \$7 million.

As part of Mr. Calabrese's plea agreement, the Government dismissed Count 20, which related to Cuyahoga County's purchase of the Ameritrust Building in 2005 for \$21.8 million. There was clear evidence of the depth and breadth of Mr. Calabrese's involvement in this corrupt sale, and on November 1, 2013, he pleaded guilty in the *State of Ohio v. Calabrese*, Case No. CR-13-576241 to Engaging a Pattern of Corrupt Activity (1st degree felony), Theft; Aggravated Theft (4th degree felony), and Bribery (3rd degree felony). Mr. Calabrese was sentenced in that matter to a concurrent prison term which terminates at the same time as his federal prison sentence. In total, Mr. Calabrese's illegal conduct involved approximately \$30 million in Government contracts.

Notwithstanding the breadth of Mr. Calabrese's criminal conduct, he received a sentence of 108 months. (By comparison, Mr. Russo's sentence exceeds Mr. Calabrese's sentence by 154 months.) Mr. Calabrese received this sentence although he purportedly did not cooperate with the Government. Furthermore, the Government moved the court for a third level for acceptance of responsibility despite Mr. Calabrese: (1) waiting until one month prior to trial (and 10 months after he was originally indicted) to enter a plea; and (2) requiring the Government to file responses to several pretrial motions. Mr. Calabrese did not receive a two-level increase for obstruction of justice despite his attempt to obstruct the Government's investigation as outlined in Count 20 of his Superseding Indictment and his ongoing criminal conduct during the pendency of his case. Despite being the organizer and leader in many of the largest schemes in the county corruption probe, Mr. Calabrese only received a two-level increase for his role, not

the four-level increase used in Mr. Russo's plea agreement. Mr. Calabrese will be home in approximately two years and three months.

Michael Forlani.⁴ Michael Forlani bribed six different public officials (Dimora, Kelley, Klimkowski, Peto, Scott, and Carroll) and multiple business executives. He corrupted multiple Government organizations (Cuyahoga County, City of Cleveland, Parma City Schools, Maple Heights City Schools, MetroHealth, and the Port Authority) and private businesses.

Mr. Forlani profited more than any public official by obtaining millions of dollars in contracts for his companies. In total, Forlani's companies received or sought to receive \$132,808,671 in contracts.

Mr. Forlani engaged in multiple acts of obstruction to try to cover his criminal activity. When Forlani learned of the Government's investigation, he created and sent fake invoices for free work his companies had performed in the past.

Despite Mr. Forlani's extensive criminal activity involving contracts totaling more than \$132 million and his multiple actions to obstruct the Government's investigation, he received a sentence of 97 months, 165 months less than Mr. Russo. Mr. Forlani has already been released from prison and is in a Residential Reentry Center.

William Neiheiser.⁵ William Neiheiser bribed three high-level decisionmakers who made important financial decisions over the budgets of three distinct public agencies (George Phillips-Oliver, Dimora, and Carroll) with which Neiheiser had or sought millions of dollars of contracts.

⁴ The information in this section was derived directly from the Government's sentencing memorandum filed in Mr. Forlani's case. *See United States v. Forlani*, 1:11-cr-00491, Doc. No. 113 (Government's Sentencing Memorandum).

⁵ The information in this section was derived directly from the Government's sentencing memorandum filed in Mr. Neiheiser's case. *See United States v. Neiheiser*, 1:10-cr-00387, Doc. No. 367 (Government's Sentencing Memorandum).

Mr. Neiheiser's company, Reliance Mechanical, had \$27,533,387 in contracts at MetroHealth, was bidding on approximately \$20 million in contracts for the Juvenile Justice Center and was hoping to obtain millions of dollars in contracts at CMHA. All of this money was "intended loss" pursuant to USSG 2B1.1.

Mr. Neiheiser engaged in multiple acts of obstruction to try to cover his criminal activity. Neiheiser attempted to conceal his CMHA bribes by creating a phony invoice for the air-conditioning system he installed for Phillips-Oliver free of charge. He attempted to conceal the bribes to Carroll by writing a check to Carroll's wife and using cash. He also took steps to conceal his relationship with Dimora.

Despite Mr. Neiheiser's extensive criminal activity involving contracts totaling more than \$50 million and his multiple attempts to obstruct the Government's investigation, he received a sentence of 37 months, 225 months less than Mr. Russo. Mr. Neiheiser has been home for over five years.

J. Kevin Kelley. The Government described Mr. Kelley's culpability as follows: "It's obvious that the defendant's conduct was staggering as this Court has observed...And this defendant was certainly at the higher end of the pyramid when it came to corruption. He personally benefited significantly and substantially, starting with the \$145,000-a-year job that he bought, which not only increased his salary but his retirement through OPERS; the \$200,000 he received from Alternatives Agency; the \$40,000-plus from the Business 7 and Business 8 bribery scheme as part of the GIS contact; the \$15,000 from Pumper; and on and on and on and on." *Transcript of Sentencing of J. Kevin Kelley*, Case No. 1:09CR272, at 12:2-3, 9-17 [Doc. No. 93].

Despite the "staggering" nature of Mr. Kelley's criminal activity, the Government moved for, and was granted, a six-level reduction because of the timing and value of his cooperation. It

is undisputed that both men spent a tremendous amount of time assisting the Government; however Mr. Russo's cooperation was as extraordinarily valuable to the Government as was Mr. Kelley's.

Although Mr. Kelley was one of the first defendants to offer assistance, Mr. Russo began cooperating when only one defendant had gone to trial (one about whom Mr. Russo had no information). While Mr. Kelley only testified at the Dimora/Gabor trial and Mr. Forlani's sentencing hearing, Mr. Russo testified at the Dimora/Gabor trial, as well as at the trials of Ms. Bridget McCafferty and Mr. Steven Terry. Each of these defendants received guilty verdicts, in large part, because of Mr. Russo's testimony.

Granting Mr. Russo a six level reduction will still result in a sentence that is proportionate to Mr. Kelley's. The six-level reduction granted to Mr. Kelley reduced his total offense level to a 27 resulting in a sentence of 72 months. Mr. Kelley has been living in Florida on a disability pension since April.

If this Court grants a six-level reduction to Mr. Russo, his total offense level will be a 33. If the court sentences him to 135 months, Mr. Russo's sentence will still surpass Mr. Kelley's by 63 months, representing the second longest sentence in the county corruption probe.

2. Mr. Russo has no prior felony criminal history.

Mr. Russo has one prior conviction—a second degree misdemeanor charge of Dereliction of Duty. He pleaded guilty to this offense on December 21, 1998, almost twenty years ago. His Criminal History Computation was a Category I at the time of sentencing. Mr. Russo's one misdemeanor offense does not diminish the substantial assistance he has provided or counsel against a six-level reduction. *See, Grant*, at 817. ("A defendant whose prior criminal activity is non-existent or not too serious could be fully rewarded for his valuable assistance...")

3. Mr. Russo does not pose a threat to anyone.

The offenses committed by Mr. Russo were non-violent and all occurred in his capacity as an elected official. Mr. Russo no longer holds this role and cannot reoffend. Mr. Russo is almost 70 years old and suffers from numerous serious health problems. He has devoted his life to making amends for his transgressions. He poses no threat to society, and as such, his cooperation should be fully valued. See, *Grant*, at 817.

Mr. Russo's Health

Mr. Russo is 69 years old and suffers serious medical issues with his heart, including Congestive Heart Failure, Coronary Atherosclerosis (aka Coronary Artery Disease), diabetes, stage 3 kidney disease, hypertension, severe peripheral neuropathy, amblyopia, and atrial fibrillation. These conditions, along with arthritis, C.O.P.D., gout, and spinal lumbar issues, take a major daily toll on Mr. Russo. Since beginning his incarceration, he has suffered a heart attack and undergone three cardiac procedures, including five stents. His current sentence of 262 months has a projected release date of November 22, 2031. Mr. Russo would be 82 years old at the time of his release from prison, amounting to a life sentence.

Complete lists of Mr. Russo's health problems and prescribed medications are attached as Exhibits C and D, respectively.

Due to his failing health, Mr. Russo now resides in the hospital at Devens FMC. Mr. Russo's mobility has been significantly reduced. He is restricted to walking no more than 50 feet at a time, requires the use of a cane, an oxygen tank, and a sleep apnea machine. His doctor placed him on "Medical Idle" status. A copy of Mr. Russo's Medical Duty Status is attached as Exhibit E.

Mr. Russo recently completed his 73rd month of incarceration. His health has deteriorated drastically in that time and has shown no signs of stabilizing.

Mr. Russo's Rehabilitation & Contributions

At his sentencing on December 16, 2010, Mr. Russo made a promise to his children, his family, the court, and the residents of Cuyahoga County that he would devote the rest of his life to make up for his past indiscretions. Since November 2010, Mr. Russo has dedicated his life to serving those in need. A letter to the court from Mr. Russo is attached as Exhibit F.

After his sentencing, but prior to reporting to prison, Mr. Russo volunteered at St. Augustine Church and Hunger Center in Cleveland. He volunteered over 1,000 hours assisting the parish's various ministries, including teaching GED classes, cooking for the Hunger Center, and planning holiday events.

Since his incarceration, Mr. Russo has endeavored to help as many people as possible. His positive contributions in prison include:

- (1) Suicide Watch Program: Mr. Russo would assist in monitoring "at risk" inmates;
- (2) Education/Resource Center: Mr. Russo assisting in providing inmates with information, counseling, and training for re-entry;
- (3) Adult Continuing Education (ACE) and Release Preparation Program (RPP): Mr. Russo taught several classes such as Parenting from Prison, Avoiding Recidivism, Real Estate, Housing Options, Food Service Opportunities, Food Truck Operations, and K-9 Owner Responsibilities; and
- (4) Specialty Programs: Mr. Russo created and facilitated the Family Greeting Card project to assist inmates in reaching out to their families. Mr. Russo also mentored other inmates in Jericho Circle, a group discussion to help inmates deal with issues inside and outside of prison, with an emphasis on taking personal responsibility for one's own actions.

A more complete list of Mr. Russo's contributions while in prison is attached as Exhibit G.⁶ Mr. Russo's demonstrated resolve to serve others and right the wrongs of his past further evidences that he poses no threat to society.

IV. CONCLUSION

Mr. Russo's assistance was forthright, extensive, and valuable to the Government. This is evident by the Government's own words. Mr. Russo's cooperation not only furthered the Government's efforts in bringing about the convictions of numerous individuals, it also aided the Government in conserving resources. A six-level reduction appropriately reflects the value of Mr. Russo's assistance and ensures his sentence remains proportionate to the sentences of the sixty-three other offenders in this matter.

Respectfully Submitted,

s/ Roger M. Synenberg
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⁶ Due to his failing health, Mr. Russo has had to take a leave of absence from some of these efforts.

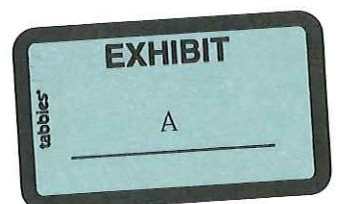
CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2018, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular US mail. Parties may access this filing through the Court's system.

KEY

Red	Trial
Green	Cooperated
Yellow	Lied to Government

DEFENDANT	SENTENCE	RELEASE
James Dimora	336 months	08/21/2036
Frank Russo	135 months	11/22/2031
Michael Gabor	121 months	12/19/2019
Thomas Greco	112 months	05/22/2019
Anthony Calabrese, III	108 months	05/22/2021
John Carroll	108 months	01/29/2019
Michael Forlani	97 months	05/27/2019
William Mitchell	97 months	07/09/2018
Steven Pumper	97 months	01/22/2020
Christopher Krause	87 months	12/30/2016
J. Kevin Kelley	72 months	04/27/2018
Steven Terry	63 months	06/03/2016
Bruce Zaccagnini	60 months	08/19/2014
Patrick Coyne	57 months	11/13/2015
Robert Peto	57 months	04/14/2017
Daniel Gallagher	48 months	07/25/2016
Santina Klimkowski	48 months	05/27/2016
Samir Mohammad	46 months	05/19/2015
Timothy Armstrong	42 months	04/18/2013
Nilesh Patel	42 months	10/30/2013
Ronald Romanini	41 months	10/02/2013
William Neiheiser	37 months	08/09/2013
Ferris Kleem	36 months	10/16/2015
Richard Huberty	36 months	08/12/2011
Daniel Weaver	36 months	07/26/2013
Dennis Dooley	27 months	10/03/2012
Robert Rybak	27 months	02/22/2013
Henry Picozzi	24 months	03/25/2011
Sanford Prudoff	24 months	06/16/2014
Anthony Sinagra	18 months	04/21/2015
Vincent Russo	18 months	06/13/2012
Giacinto Vaccarella	18 months	09/06/2012
James McCullough	15 months	03/04/2011
Bridget McCafferty	14 months	09/17/2012
Juan Alejandro	13 months	01/11/2011
Pat Boyce	12 months, 1 day	04/25/2014
Richard Kocuba	12 months, 1 day	10/07/2010
Shannon Riley	12 months, 1 day	12/22/2011
Lawrence Skule	12 months, 1 day	10/08/2010
Steven Tomasone	12 months, 1 day	05/18/2012
Steven Canepa	12 months	03/27/2012
George Phillips-Oliver	10 months	03/08/2013
Joseph Gallucci	9 months	04/09/2013
Anthony Melaragno	9 months	04/29/2013
Dinesh Bafna	6 months	08/02/2011
Damir Bleic	6 months	01/07/2013
Rocky Laurie	6 months	08/05/2011
Charles Randazzo	5 months	11/16/2012
Joseph O'Malley	4 months	03/02/2012
Hamdi "Sam" Qasem	4 months	08/05/2013
Joseph Bibbo	5 years probation	
Jerry Skuhrovec	5 years probation	
Bryan Carlton	3 years probation	
Nicholas Delbrocco	3 years probation	
Charles Edwards	3 years probation	
Todd Gemma	3 years probation	
Kenneth Kushmider	3 years probation	
Ronald Monroe	3 years probation	
Todd Ozanich	3 years probation	
Sabra Pierce-Scott	3 years probation	
Brian Schuman	3 years probation	
Nicholas Zavarella	3 years probation	
John Valentin	2 years probation	
Harlan Diamond	1 year probation	



	Name	City/State	Position	Offense	Sentence	Release
1	Rafael Astacio (2016)	Central Islip, NY	Detective, NYPD	Used position with NYPD to gather information to commit burglaries (\$8M in damages)	72 months, 3 years supervised release, 2M fines/restitution	07/16/2021
2	Mario Biaggi (1988)	New York, NY	Koch Associate	Koch Scandal Participation	8 years	26 months (06/29/1991)
3	Kimberly Michelle Bishop (2016)	Asheville, NC	Former Director of Macon County's Board of Elections	Embezzling public funds	6 months jail, 3 years supervised release (first six months under home detention)	06/28/2017
4	Rod Blagojevich (2011)	Illinois	Illinois Governor	Attempted to offer up the senate seat vacated by Obama for personal favors	14 years	05/23/2024
5	Elaine Boyer (2015)	Atlanta, GA	DeKalb County Commissioner	Stealing county funds (75k) - conspiring to commit mail fraud, wire fraud	14 months, three years supervised release	05/13/2016
6	Sally Claassen (2016)	Rockford, IL	Former Winnebago County Purchasing Director	Stole more than \$400k from a program receiving federal funds	24 months jail, one year supervised release	07/23/2018
7	Timothy Alexander Conley (2015)	Frankfort, KY	Former Morgan County Judge-Executive	Honest services mail fraud (100k+ in kickbacks from a bridge contractor)	87 months jail	07/15/2021



8	Robert C. Cordaro (2011)	Harrisburg, PA	Former Lackawanna County Commissioner	Multiple public corruption charges (extortion, bribery, racketeering)	132 months	10/03/2021
9	Randy Cunningham (2006)	California	Congressman	Millions in bribes from contractors	8.33 years	06/04/2013
10	Stanley Friedman (1986)	New York, NY	Bronx Democratic Chairman	Koch Scandal Participation	12 years	4 years (07/03/1992)
11	Salvador Galvan (2017)	Compton, CA	Former Deputy Treasurer for the City of Compton	Stole 3.7 million over six years (embezzlement)	78 months	11/23/2022
12	Quinshaunta R. Golden (2015)	Springfield, IL	Illinois Public Health Chief of Staff	Directed 11M in funds to three organizations and received kickbacks	96 months jail, 3 years supervised release, 1M in restitution	08/19/2022
13	Phil Hamilton (2011)	Virginia	State Delegate	Steered 500k to ODU and got a 40k/yr. position at the school	9.5 years	12/27/2019
14	Shauntell Harley (2018)	D.C.	Former Management Analyst - D.C. Office of the State Superintendent of Education	Accepted bribes in return for clearing payments on fraudulent invoices totaling more than \$480k	56 months, three years of supervised release	10/03/2022
15	Alan Hevesi (2011)	New York, NY	State Comptroller	Corruption ('pay to play')	1-4 years (County)	19 months
16	Stacey Jackson (2015)	New Orleans, LA	Former Executive Director of N.O.A.H. (New Orleans Affordable Homeownership) (city agency)	Overpaid contractors with the expectation of receiving kickbacks	60 months, 3 years supervised release, 50k fine	05/20/2019
17	William Jefferson (2009)	Louisiana	Congressman	Rec. hundreds of thousands in bribes related to business ventures in Africa	13 years	12/20/2017

18	Jack B. Johnson (2011)	Prince Georges, MD	Former County Executive	Extortion and witness/evidence tampering: accepted bribes	7.25 years	06/09/2017
19	Troy X. Kelley (2018)	Tacoma, WA	Former Washington State Auditor	Possession of stolen property, making false declarations, tax fraud	12 months	Sentence hasn't started
20	Virginia G. Kunigonis (2016)	Harrisburg, PA	Schuylkill County Administrative Assistant	Embezzled \$450k+ (forged 437 different checks)	12 months jail	03/16/2017
21	Clayton Luckie (2013)	Dayton, OH	State Rep.	Money Laundering, election falsification, theft	3 years jail/3 years probation (County)	01/01/2016
22	Ellis McCoy (2015)	Portland, OR	Manager - Portland Parking Operations	Conspiring to accept bribes, accepting bribes, false tax returns (300k)	24 months	04/04/2017
23	Robert McDonnell (2015)	Virginia	Governor	11 counts of conspiracy, honest services fraud, obtaining property under color of official right	2 years	Overtured
24	Cason "Casey" Moreland (2018)	Nashville, TN	Davidson County General Sessions Judge	Obstruction, witness tampering, stealing money from an organization receiving federal funds	44 months, restitution of 18,000, forfeiture of 13,500	Sentence hasn't started
25	Ray Nagin (2014)	New Orleans, LA	Mayor	Bribes in exchange for city contracts	10 years	05/25/2023
26	Bob Ney (2007)	Ohio	Congressman	Corruption re: Jack Abramoff	2.5 years	08/15/2008

27	Pamela J. Oestreich (2018)	Missouri	Former Callaway County Collector	Embezzled 300k from Callaway County taxpayers (stealing money from an organization that receives federal funds)	Awaiting sentencing	
28	Mary Ray (2016)	South Bend, IN	Chief Deputy Auditor - LaPorte County	Theft of govt. money/false statements (tax)	84 months	05/16/2022
29	Rick Renzi (2013)	Arizona	Congressman	Used office to profit from a federal land exchange	3 years	01/06/2017
30	Kim Savant (2015)	Mississippi	Former Harrison County Supervisor	Conspiracy to commit bribery	60 months and two years supervised release	03/04/2020
31	Barry Stephen Robinson (2015)	Maryland	Chief of Division of Transit - Baltimore City Dept. of Transportation	Canceled debt in return for cash payments - cost the city upwards of 310k	1 year - 3 years supervised release	06/23/2016
32	Oliver L. Robinson, Jr. (2018)	Birmingham, AL	Former state legislator	Conspiracy, bribery, honest services wire fraud, tax evasion	33 months, 3 years supervised release	04/18/2021
33	Keesha Rose (2014)	Texarkana, AR	Lafayette County Treasurer and Tax Collector	Embezzlement of \$280k	24 months and three years supervised release	02/13/2017
34	John Rowland (2005)	Connecticut	Governor	Used influence in exchange for vacations and home improvements (conspiracy/mail fraud/tax fraud)	1 year	10 months jail, four months home arrest
35	John Rowland (2015)	Connecticut	Former Governor	Election fraud/false statements	30 months	05/25/2018
36	Don Siegelman (2012)	Alabama	Governor	Named a health exec to a state hospital board in exchange for 500k	6.5 years	08/08/2017

37	Dean Skelos (2018)	New York, NY	Former NY State Senate Majority Leader	Used official position to obtain more than 300k in bribes and extortion payments (paid to his son) in exchange for his official acts	51 months	Sentence hasn't started
38	Stephen E. Stockman (2018)	Texas	Former U.S. Congressman	Defrauded charitable donors of hundreds of thousands of dollars and used them for personal proceeds and campaigns for public office	120 months, 1M+ of restitution	Sentence hasn't started
39	Timothy Swanson (2015)	Illinois	City of Countryside Chief of Police	Mail fraud, money laundering, tax evasion	27 months, 3 years supervised release, 300k fine	01/27/2017
40	Carlton Weddington (2012)	Columbus, OH	State Rep.	Bribery, election falsification, filing a false ethics disclosure form	3 years	Early release at 2 yrs. and 2 months

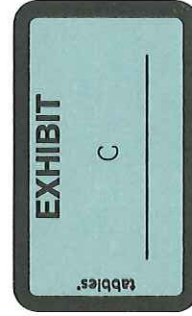
Bureau of Prisons Health Services Health Problems

Reg #: 56284-060

Inmate Name: RUSSO, FRANK P

Case: 1:10-cr-00384-SL Doc #: 51-3 Filed: 12/21/18 1 of 6 PageID #: 336

<u>Description</u>	<u>Axis</u>	<u>Code</u>	<u>Type</u>	<u>Code</u>	<u>Diag. Date</u>	<u>Status</u>	<u>Status Date</u>
Current							
Diabetes, type II with neurological manifestation							
11/19/2014 12:19 EST Burk, Steven PA-C	III	ICD-9		250.60	11/19/2014	Current	11/19/2014
Hyperlipidemia, mixed							
11/16/2012 13:03 EST Burk, Steven PA-C	III	ICD-9		272.2	11/16/2012	Current	11/16/2012
Gouty arthropathy, unspecified							
05/01/2018 16:57 EST Murray, Scott MD no symptoms on allopurinol 300 mg, and uric is 6	III	ICD-9		274.00	11/16/2012	Current	11/16/2012
11/16/2012 13:09 EST Burk, Steven PA-C	III	ICD-9		274.00	11/16/2012	Current	11/16/2012
Peripheral neuropathy, unspecified							
05/01/2018 16:57 EST Murray, Scott MD B12 defic and diabetic. dulox and B12 injections	III	ICD-9		356.9	11/16/2012	Current	11/16/2012
11/16/2012 13:04 EST Burk, Steven PA-C	III	ICD-9		356.9	11/16/2012	Current	11/16/2012
Amblyopia, unspecified							
03/09/2014 13:35 EST Howard, Charles MD OS since early childhood per I/M.	III	ICD-9		368.00	03/09/2014	Current	03/09/2014
Hypertension, Unspecified essential							
11/16/2012 13:03 EST Burk, Steven PA-C	III	ICD-9		401.9	11/16/2012	Current	11/16/2012
Coronary atherosclerosis of unspec type of vessel							
05/01/2018 16:57 EST Murray, Scott MD s/p NSTEMI 2014, PCI/stents: 2008, 2015, 5/2017 DES to RCA. persistent, but less ischemia on nuc stress 8/2017. atorv/asa+plavix/BB/indur	III	ICD-9		414.00	11/16/2012	Current	11/16/2012
08/25/2017 16:01 EST Murray, Scott MD s/p NSTEMI 2014, PCI/stent 4/2015+ 2008+ 5/2017 with residual DOE and pos ischemia on nuclear stress 8/2017	III	ICD-9		414.00	11/16/2012	Current	11/16/2012
11/16/2012 13:03 EST Burk, Steven PA-C	III	ICD-9		414.00	11/16/2012	Current	11/16/2012
Atrial fibrillation							
05/01/2018 16:57 EST Murray, Scott MD warfarin. Toprol xl 300mg/day	III	ICD-9		427.31	10/03/2014	Current	10/03/2014
10/03/2014 08:53 EST Swindell, Kim MD	III	ICD-9		427.31	10/03/2014	Current	10/03/2014
Esophageal reflux							



Reg #: 56284-060 Inmate Name: RUSSO, FRANK P

Description	Axis	Code Type	Code	Diag. Date	Status	Status Date
05/01/2018 16:57 EST Murray, Scott MD ranitidine 150 mg once/day-renal dose	III	ICD-9	530.81	11/16/2012	Current	11/16/2012
11/16/2012 13:13 EST Burk, Steven PA-C	III	ICD-9	530.81	11/16/2012	Current	11/16/2012
Femoral hernia, unilateral or unspec, recurrent						
11/05/2015 09:51 EST Cooke, Robert PA-C	III	ICD-9	553.01	11/05/2015	Current	11/05/2015
Chronic kidney disease, Stage III (moderate)						
06/23/2014 14:40 EST Swindell, Kim MD	III	ICD-9	585.3	06/23/2014	Current	06/23/2014
Dermatitis/eczema due to unspecified cause						
05/01/2018 16:57 EST Murray, Scott MD skin BX: Pityriasis Lichenoides. topical steroid ointment. trial 8 wks of doxy	III	ICD-9	692.9	2017	Current	12/10/2012
11/02/2017 10:06 EST Roberts, Camille MD	III	ICD-9	692.9	2017	Current	12/10/2012
12/10/2012 10:07 EST Burk, Steven PA-C	III	ICD-9	692.9	12/10/2012	Current	12/10/2012
Trigger finger (acquired)						
05/01/2018 16:57 EST Murray, Scott MD L 4/5	III	ICD-9	727.03	02/28/2014	Current	02/28/2014
02/28/2014 09:50 EST Burk, Steven PA-C rt 4th	III	ICD-9	727.03	02/28/2014	Current	02/28/2014
Vitamin B12 deficiency anemia						
05/01/2018 16:57 EST Murray, Scott MD B12 low 2017. levels marginal on 100 mcg/month. increase to 1,000 mg/month	ICD-10		D519	08/25/2017	Current	
08/25/2017 16:01 EST Murray, Scott MD B12 low 2017	ICD-10		D519	08/25/2017	Current	
Vitamin D deficiency						
05/01/2018 16:57 EST Murray, Scott MD 50ku/month	ICD-10		E559	03/23/2016	Current	
03/23/2016 15:49 EST Hohnski, Jon MD	ICD-10		E559	03/23/2016	Current	
Sleep apnea						
05/01/2018 16:57 EST Murray, Scott MD has CPAP. severe OSA by HST	ICD-10		G4730	01/30/2018	Current	
01/30/2018 15:27 EST Ketsler, Inna MD	ICD-10		G4730	01/30/2018	Current	
Heart failure						
05/01/2018 16:57 EST Murray, Scott MD echo (6/2017) showing LVEF=45%, mild MR, mod AR.	ICD-10		I509	05/01/2018	Current	
Chronic obstructive pulmonary disease [COPD]						
05/01/2018 16:57 EST Murray, Scott MD Spiriva/inhalers not helping per pulm. ambulatory oximetry: pos desats. needs O2 with	ICD-10		J449	08/22/2017	Current	

Inmate Name: RUSSO, FRANK P

Reg #: 56284-060

<u>Description</u>	<u>Axis</u>	<u>Code Type</u>	<u>Code</u>	<u>Diag. Date</u>	<u>Status</u>	<u>Status Date</u>
exertion.						
08/22/2017 15:04 EST Ketsler, Inna MD		ICD-10	J449	08/22/2017	Current	
Constipation, unspecified						
04/12/2018 11:02 EST Riley, E. NP-C		ICD-10	K5900	04/12/2018	Current	
Scar conditions and fibrosis of skin						
10/27/2016 12:12 EST Roberts, Camille MD		ICD-10	L905	2016	Current	
Unspecified abnormalities of breathing						
05/01/2018 16:57 EST Murray, Scott MD		ICD-10	R069	03/30/2018	Current	
DOE. multifactorial see CCC note from 5/1/18 for summary. mostly O2 need for						
COPD. partly ischemia-had stent, with residual but improved ischemia on stress						
03/30/2018 13:55 EST Ofman, Peter MD		ICD-10	R069	03/30/2018	Current	
Unspecified abnormalities of breathing						
02/10/2017 12:16 EST Riley, E. NP-C		ICD-10	R069	02/10/2017	Current	
Hematuria, unspecified						
05/01/2018 16:57 EST Murray, Scott MD		ICD-10	R319	03/15/2017	Current	
Microscopic Hematuria. CT neg 9/2016. cysto and path neg 6/2017						
08/25/2017 16:01 EST Murray, Scott MD		ICD-10	R319	03/15/2017	Current	
Microscopic Hematuria. CT neg. cysto and path neg						
03/15/2017 15:16 EST Murray, Scott MD		ICD-10	R319	03/15/2017	Current	
Microscopic Hematuria. CT neg. urology/cysto pend						
Abnormal finding of blood chemistry, unspecified						
08/25/2017 16:01 EST Murray, Scott MD		ICD-10	R799	03/15/2017	Current	
elevated H/H with mildly elev epogen. JAK2/BCR-ABL neg. flow cyto neg. hematology						
eval-feels reactive. no reg FU needed unless worse						
03/15/2017 15:16 EST Murray, Scott MD		ICD-10	R799	03/15/2017	Current	
elevated H/H with mildly elevated epogen. followed by hematology. JAK2/BCR-ABL						
neg. flow cyto neg.						

Remission

Rosacea

01/13/2014 15:44 EST Swindell, Kim MD	III	ICD-9	695.3	11/16/2012	Remission	01/13/2014
11/16/2012 13:03 EST Burk, Steven PA-C	III	ICD-9	695.3	11/16/2012	Current	11/16/2012

Resolved

Dermatophytosis of the body (Tinea imbricata)

<u>Description</u>	<u>Axis</u>	<u>Code Type</u>	<u>Code</u>	<u>Diag. Date</u>	<u>Status</u>	<u>Status Date</u>
05/01/2018 16:37 EST Murray, Scott MD	III	ICD-9	110.5	11/19/2014	Resolved	05/01/2018
11/19/2014 09:08 EST Burk, Steven PA-C	III	ICD-9	110.5	11/19/2014	Current	11/19/2014
Diabetes mellitus, type II (adult-onset)						
05/01/2018 16:57 EST Murray, Scott MD duplicate	III	ICD-9	250.00	11/16/2012	Resolved	05/01/2018
11/16/2012 13:03 EST Burk, Steven PA-C	III	ICD-9	250.00	11/16/2012	Current	11/16/2012
Bell's palsy						
02/23/2016 07:20 EST SYSTEM R-sided	III	ICD-9	351.0	07/01/2014	Resolved	12/24/2014
12/24/2014 13:44 EST Swindell, Kim MD R-sided	III	ICD-9	351.0	07/01/2014	Resolved	12/24/2014
10/01/2014 13:23 EST Swindell, Kim MD R-sided	III	ICD-9	351.0	07/01/2014	Current	10/01/2014
07/17/2014 15:06 EST Swindell, Kim MD	III	ICD-9	351.0	07/01/2014	Resolved	07/17/2014
07/01/2014 13:20 EST Krepps, Jim PA-C	III	ICD-9	351.0	07/01/2014	Current	07/01/2014
Polynuropathy in diabetes						
05/01/2018 16:57 EST Murray, Scott MD duplicate	III	ICD-9	357.2	01/22/2015	Resolved	05/01/2018
01/22/2015 13:07 EST Hojnosi, Jon MD	III	ICD-9	357.2	01/22/2015	Current	01/22/2015
Impacted cerumen						
02/23/2016 07:20 EST SYSTEM	III	ICD-9	380.4	09/13/2013	Resolved	01/13/2014
01/13/2014 15:44 EST Swindell, Kim MD	III	ICD-9	380.4	09/13/2013	Resolved	01/13/2014
09/13/2013 06:56 EST Golden, Robin PA-C	III	ICD-9	380.4	09/13/2013	Current	09/13/2013
Benign paroxysmal positional vertigo						
02/23/2016 07:20 EST SYSTEM	III	ICD-9	386.11	02/20/2013	Resolved	03/01/2013
03/01/2013 12:31 EST Burk, Steven PA-C	III	ICD-9	386.11	02/20/2013	Resolved	03/01/2013
02/20/2013 09:37 EST Smor, Grace PA-S	III	ICD-9	386.11	02/20/2013	Current	02/20/2013
Acute myocardial infarction of other specif sites						
02/23/2016 07:20 EST SYSTEM 9/26/14; stent placed	III	ICD-9	410.8	10/01/2014	Resolved	10/01/2014
10/01/2014 13:23 EST Swindell, Kim MD 9/26/14; stent placed	III	ICD-9	410.8	10/01/2014	Resolved	10/01/2014
Congestive heart failure, unspecified						
02/23/2016 07:20 EST SYSTEM	III	ICD-9	428.0	11/16/2012	Resolved	01/22/2013
01/22/2013 10:24 EST Cash, Michael D.O.	III	ICD-9	428.0	11/16/2012	Resolved	01/22/2013
11/16/2012 13:03 EST Burk, Steven PA-C	III	ICD-9	428.0	11/16/2012	Current	11/16/2012

<u>Description</u>	<u>Axis</u>	<u>Code Type</u>	<u>Code</u>	<u>Diag. Date</u>	<u>Status</u>	<u>Status Date</u>
Low back pain, lumbago						
02/23/2016 07:20 EST SYSTEM	III	ICD-9	724.2	04/26/2013	Resolved	07/30/2014
07/30/2014 09:44 EST Burk, Steven PA-C	III	ICD-9	724.2	04/26/2013	Resolved	07/30/2014
04/26/2013 10:20 EST Burk, Steven PA-C	III	ICD-9	724.2	04/26/2013	Current	04/26/2013
Dizziness and giddiness						
02/23/2016 07:20 EST SYSTEM	III	ICD-9	780.4	05/19/2014	Resolved	07/30/2014
07/30/2014 09:44 EST Burk, Steven PA-C	III	ICD-9	780.4	05/19/2014	Resolved	07/30/2014
05/19/2014 10:12 EST Burk, Steven PA-C	III	ICD-9	780.4	05/19/2014	Current	05/19/2014
Rash and other nonspecific skin eruption						
05/01/2018 16:57 EST Murray, Scott MD	III	ICD-9	782.1	2016	Resolved	05/01/2018
duplicate						
09/01/2016 12:22 EST Roberts, Camille MD	III	ICD-9	782.1	2016	Current	02/19/2015
02/19/2015 12:24 EST Roberts, Camille MD	III	ICD-9	782.1	02/19/2015	Current	02/19/2015
Retained dental root						
05/27/2016 11:45 EST Peng, Y. DDS		ICD-10	K083	05/24/2016	Resolved	05/27/2016
Extraction of retained root tip #20 was performed						
05/24/2016 14:31 EST Peng, Y. DDS		ICD-10	K083	05/24/2016	Current	
Cellulitis, unspecified						
05/01/2018 16:57 EST Murray, Scott MD		ICD-10	L0390	11/21/2017	Resolved	05/01/2018
Right lower anterior leg						
11/21/2017 09:47 EST Riley, E. NP-C		ICD-10	L0390	11/21/2017	Current	
Right lower anterior leg						
Dermatitis, unspecified						
05/01/2018 16:57 EST Murray, Scott MD		ICD-10	L309	08/22/2017	Resolved	05/01/2018
duplicate						
08/22/2017 10:06 EST Cooke, Robert PA-C		ICD-10	L309	08/22/2017	Current	
Papulosquamous disorder, unspecified						
05/01/2018 16:57 EST Murray, Scott MD		ICD-10	L449	10/20/2017	Resolved	05/01/2018
duplicate						
10/20/2017 12:58 EST Cooke, Robert PA-C		ICD-10	L449	10/20/2017	Current	
Follicular disorder, unspecified						
05/01/2018 16:57 EST Murray, Scott MD		ICD-10	L739	09/19/2017	Resolved	05/01/2018
duplicate						
11/28/2017 09:18 EST Riley, E. NP-C		ICD-10	L739	09/19/2017	Current	
PLEVA						

Reg #: 56284-060 Inmate Name: RUSSO, FRANK P

<u>Description</u>	<u>Axis</u>	<u>Code Type</u>	<u>Code</u>	<u>Diag. Date</u>	<u>Status</u>	<u>Status Date</u>
09/19/2017 13:35 EST Cooke, Robert PA-C		ICD-10	L739	09/19/2017	Current	
Rash and other nonspecific skin eruption						
05/01/2018 16:57 EST Murray, Scott MD duplicate		ICD-10	R21	09/28/2017	Resolved	05/01/2018
09/28/2017 12:24 EST Roberts, Camille MD		ICD-10	R21	09/28/2017	Current	
History of noncompliance with medical treatment						
02/23/2016 07:20 EST SYSTEM non-compliant with diabetes management	III	ICD-9	V15.81	01/13/2014	Resolved	10/20/2014
10/20/2014 09:46 EST Swindell, Kim MD non-compliant with diabetes management	III	ICD-9	V15.81	01/13/2014	Resolved	10/20/2014
01/13/2014 15:44 EST Swindell, Kim MD non-compliant with diabetes management	III	ICD-9	V15.81	01/13/2014	Current	01/13/2014
Status post CABG, Aortocoronary bypass status						
02/23/2016 07:20 EST SYSTEM Never had a CABG	III	ICD-9	V45.81	11/16/2012	Resolved	01/22/2015
01/22/2015 13:09 EST Hojnoski, Jon MD Never had a CABG	III	ICD-9	V45.81	11/16/2012	Resolved	01/22/2015
11/16/2012 13:03 EST Burk, Steven PA-C	III	ICD-9	V45.81	11/16/2012	Current	11/16/2012
Examination of eyes and vision						
02/23/2016 07:20 EST SYSTEM REFRACTION ONLY	III	ICD-9	V72.0	07/24/2015	Resolved	07/24/2015
07/24/2015 16:23 EST Howard, Charles MD REFRACTION ONLY	III	ICD-9	V72.0	07/24/2015	Resolved	07/24/2015
Other specified postprocedural states						
05/01/2018 16:57 EST Murray, Scott MD S/P cardiac cath with stent to proximal RCA on 5/3/2017		ICD-10	Z9889	05/04/2017	Resolved	05/01/2018
05/04/2017 09:01 EST Riley, E. NP-C S/P cardiac cath with stent to proximal RCA on 5/3/2017		ICD-10	Z9889	05/04/2017	Current	
Current						
Other benign neoplasm of skin, unspecified						
09/28/2017 12:44 EST Roberts, Camille MD		ICD-10	D239	09/28/2017	Current	
09/28/2017 12:29 EST Roberts, Camille MD		ICD-10	D239	09/28/2017	Current	

Total: 47

• BLOOD IN MY URINE
• STONES IN MY KIDNEY
• RAYNAUDS SYNDROME
• POLYCYTHEMIA KIDNEY AND BLADDER
• POLYCYTHEMIA KIDNEY DISFUNCTION

**Bureau of Prisons
Health Services
Medication Summary
Current as of 07/16/2018 14:41**

Complex: DEV--DEVENS FMC	Begin Date: N/A	End Date: N/A
Inmate: RUSSO, FRANK P	Reg #: 56284-060	Quarter: N02-203L

Medications listed reflect prescribed medications from the begin date to end date on this report.

Allergies: Denied

Active Prescriptions

amLODIPine 5 MG TAB

Take one tablet (5 MG) by mouth each day

Rx#: 430646-DEV **Doctor:** Murray, Scott MD

Start: 05/02/18 **Exp:** 05/02/19

Pharmacy Dispensings: 90 TAB in 76 days

Acetaminophen 325 MG Tab

Take two tablets (650 MG) by mouth three times daily AS NEEDED for pain

Rx#: 430620-DEV **Doctor:** Murray, Scott MD

Start: 05/02/18 **Exp:** 10/29/18

Pharmacy Dispensings: 450 tab in 76 days

Allopurinol 300 MG Tab

Take one tablet by mouth each day

Rx#: 430621-DEV **Doctor:** Murray, Scott MD

Start: 05/02/18 **Exp:** 05/02/19

Pharmacy Dispensings: 60 TAB in 76 days

Aspirin 81 MG EC Tab

Take one tablet by mouth each day

Rx#: 430622-DEV **Doctor:** Murray, Scott MD

Start: 05/02/18 **Exp:** 05/02/19

Pharmacy Dispensings: 60 TAB in 76 days

Atorvastatin 80 MG TAB

Take one tablet by mouth at bedtime

Rx#: 430623-DEV **Doctor:** Murray, Scott MD

Start: 05/02/18 **Exp:** 05/02/19

Pharmacy Dispensings: 60 tab in 76 days

Clopidogrel Bisulfate 75 MG Tab

Take one tablet by mouth each day

Rx#: 430624-DEV **Doctor:** Murray, Scott MD

Start: 05/02/18 **Exp:** 09/12/18

Pharmacy Dispensings: 60 TAB in 76 days

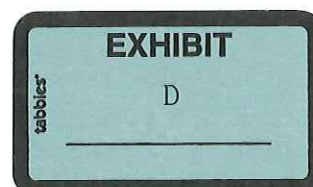
Docusate Sodium 100 MG Cap

Take one capsule (100 MG) by mouth twice daily Take with a glassful of water

Rx#: 430671-DEV **Doctor:** Murray, Scott MD

Start: 05/02/18 **Exp:** 10/29/18

Pharmacy Dispensings: 180 CAP in 76 days



Complex: DEV--DEVENS FMC**Begin Date:** N/A**End Date:** N/A**Inmate:** RUSSO, FRANK P**Reg #:** 56284-060**Quarter:** N02-203L**Active Prescriptions**

DULoxetine HCl Delayed Rel 30 MG Cap

Take two capsules (60 MG) by mouth each day

Rx#: 430627-DEV **Doctor:** Murray, Scott MD**Start:** 05/02/18 **Exp:** 10/29/18**Pharmacy Dispensings:** 180 Cap in 76 days

Furosemide 20 MG Tab

Take one tablet (20 MG) by mouth each day

Rx#: 430628-DEV **Doctor:** Murray, Scott MD**Start:** 05/02/18 **Exp:** 05/02/19**Pharmacy Dispensings:** 60 TAB in 76 days

Glucose 4 GM Tab

Chew 4 tablets AS NEEDED for low blood sugar symptoms and contact medical

Rx#: 430629-DEV **Doctor:** Murray, Scott MD**Start:** 05/02/18 **Exp:** 10/29/18**Pharmacy Dispensings:** 50 TAB in 76 days

Isosorbide Mononitrate ER 60 MG 24 hour Tab

Take three tablets (180 MG) by mouth each day

Rx#: 430634-DEV **Doctor:** Murray, Scott MD**Start:** 05/02/18 **Exp:** 10/29/18**Pharmacy Dispensings:** 180 TAB in 76 days

Lisinopril 40 MG Tab

Take one tablet by mouth each day

Rx#: 430635-DEV **Doctor:** Murray, Scott MD**Start:** 05/02/18 **Exp:** 10/29/18**Pharmacy Dispensings:** 60 TAB in 76 days

Metoprolol Succ XL 24 Hour 100 MG Tab

Take three tablets (300 MG) by mouth each day

Rx#: 430636-DEV **Doctor:** Murray, Scott MD**Start:** 05/02/18 **Exp:** 05/02/19**Pharmacy Dispensings:** 270 TAB in 76 days

Nitroglycerin SL 0.4 MG Tab (25 count)

Place 1 tab under the tongue for chest pain-may repeat every 5 min x 2 more if needed. If no relief, contact medical staff

Rx#: 430637-DEV **Doctor:** Murray, Scott MD**Start:** 05/02/18 **Exp:** 10/29/18**Pharmacy Dispensings:** 75 TAB in 76 days

Ranitidine HCl 150 MG TAB

Take one tablet (150 MG) by mouth each day

Rx#: 430672-DEV **Doctor:** Murray, Scott MD**Start:** 05/02/18 **Exp:** 10/29/18**Pharmacy Dispensings:** 60 TAB in 76 days

Vitamin A & D Ointment 113 GM

Apply topically sparingly to the affected areas twice daily (1 tube must last 60 days)

Rx#: 430639-DEV **Doctor:** Murray, Scott MD

Complex: DEV--DEVENS FMC**Begin Date:** N/A**End Date:** N/A**Inmate:** RUSSO, FRANK P**Reg #:** 56284-060**Quarter:** N02-203L**Active Prescriptions****Start:** 05/02/18**Exp:** 10/29/18**Pharmacy Dispensings:** 226 gm in 76 days

Vitamin D (Cholecalciferol) 50,000 UNIT Cap

Take one capsule (50000 UNIT) by mouth once each month on the first day of the month

Rx#: 430647-DEV**Doctor:** Murray, Scott MD**Start:** 05/02/18**Exp:** 05/02/19**Pharmacy Dispensings:** 3 Cap in 76 days

Warfarin 3 MG Tab UD

Take one tablet (3 MG) by mouth each evening

Rx#: 439576-DEV**Doctor:** Adams, Phillip PharmD**Start:** 07/10/18**Exp:** 01/06/19**Pharmacy Dispensings:** 0 TAB in 7 days

Cyanocobalamin (Vit B-12) 1000 MCG/ML Inj

Inject 1000mcg (1ml) Intra-Muscularly once a month ***pill line***

Rx#: 430625-DEV**Doctor:** Murray, Scott MD**Start:** 05/02/18**Exp:** 10/29/18**Pharmacy Dispensings:** 0 ML in 76 days

Insulin NPH (10 ML) 100 UNITS/ML INJ

Inject 58 units of NPH insulin subcutaneously each evening ***pill line***

Rx#: 430630-DEV**Doctor:** Murray, Scott MD**Start:** 05/02/18**Exp:** 10/29/18**Pharmacy Dispensings:** 0 ML in 76 days

Insulin NPH (10 ML) 100 UNITS/ML INJ

Inject 76 units of NPH insulin subcutaneously each morning ***pill line***

Rx#: 430631-DEV**Doctor:** Murray, Scott MD**Start:** 05/02/18**Exp:** 10/29/18**Pharmacy Dispensings:** 0 ML in 76 days

Insulin Reg (10 ML) 100 UNITS/ML Inj

Inject 36 units of regular insulin subcutaneously each evening ***pill line***

Rx#: 430632-DEV**Doctor:** Murray, Scott MD**Start:** 05/02/18**Exp:** 10/29/18**Pharmacy Dispensings:** 0 ML in 76 days

Insulin Reg (10 ML) 100 UNITS/ML Inj

Inject 27 units of regular insulin subcutaneously each morning ***pill line***

Rx#: 430633-DEV**Doctor:** Murray, Scott MD**Start:** 05/02/18**Exp:** 10/29/18**Pharmacy Dispensings:** 0 ML in 76 days

**Bureau of Prisons
Health Services
Medical Duty Status**

Reg #: 56284-060

Inmate Name: RUSSO, FRANK P

Housing Status

☐ confined to the living quarters except ☐ meals ☐ pill line ☐ treatments Exp. Date: _____

☐ on complete bed rest: ☐ bathroom privileges only Exp. Date: _____

☐ cell: ☐ cell on first floor ☐ single cell ☐ lower bunk ☐ airborne infection isolation Exp. Date: _____

☒ other: oxygen supplementation. Exp. Date: 12/27/2018

Physical Limitation/Restriction

☐ all sports Exp. Date: _____

☐ weightlifting: ☐ upper body ☐ lower body Exp. Date: _____

☐ cardiovascular exercise: ☐ running ☐ jogging ☐ walking ☐ softball Exp. Date: _____

☐ ☐ football ☐ basketball ☐ handball ☐ stationary equipment

☒ other: no walking greater than 50 feet without resting. Exp. Date: _____

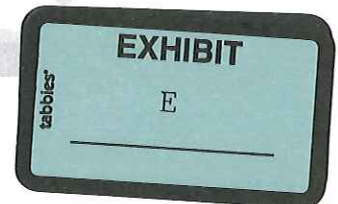
May have the following equipment in his / her possession:

Equipment	Start Date	End Date	Return Date
Compression garment - leg	06/01/2018		
2 pairs of Jobst knee high compression stockings 20-30 mmHg			
Compression garment - leg	03/01/2018		
C-Pap	12/21/2017		
Issued a RESMED S9 elite SN 23141651310 and FMC # 00001497. Winam RRT			
Glucose Meter	05/16/2017		
SN: EL339236			
Shoe inserts	07/12/2016		
2 toe seperators			
Sling	04/01/2016	05/21/2016	
right hernia belt 38 w			
Shoe inserts	01/22/2016		
sz 5 spenco insoles issued 1/22/16			
Alternate Institutional Shoes	01/30/2015	02/14/2018	
Cane	01/30/2015	01/19/2018	
Eye Glasses	11/16/2012		

Work Restriction / Limitation:Cleared for Food Service: No**Comments:** MEDICAL IDLE. MEDICAL HOLD as of 4/27/17Riley, E. NP-C04/12/2018

Health Services Staff

Date

Inmate Name: RUSSO, FRANK P Reg #: 56284-060 Quarters: N02**ALL EXPIRATION DATES ARE AT 24:00**

APPROXIMATELY 10 YEARS AGO MY HOUSE WAS RAIDED, IT WAS LIKE A SCENE FROM A BAD MOVIE, BUT IT EVENTUALLY OPENED MY EYES TO REALTY AND GAVE ME A SECOND CHANCE AT LIFE.

I WOKE UP ONE MORNING, LOOKED IN THE MIRROR AND DIDN'T LIKE WHAT I SAW. I LOOKED AT A PERSON I WAS NOT PROUD OF, I WAS ASHAMED OF, A PERSON WHO LET HIS CHILDREN DOWN, HIS FAMILY, FRIENDS, EMPLOYEES AND COUNTY RESIDENTS. I LOOKED BACK, GUILTY, GUILTY, GUILTY, I COULD NEVER CHANGE THAT, SO I STARTED TAKING RESPONSIBILITY FOR ALL MY BAD JUDGEMENTS AND ACTIONS AND NEVER LOOKED BACK AGAIN. I NEEDED TO START A NEW LIFE AND BE A NEW FRANK RUSSO.

CO-OPERATION WAS THE BEGINING OF MY NEW LIFE, DURING THIS PERIOD I WORKED VERY HARD. I PREPARED THOROUGHLY FOR ALL 6 TRIALS, I PROVED THAT WITH BRIDGET MCCAFFERTYS ATTORNEYS QUESTIONS, REGARDING DATES AND DECISIONS.

EXHIBIT

F

tabbles

OUT OF THE 6 TRIALS I PREPARED FOR, THREE WERE CANCELLED BY THE DEFENDANTS JUST A FEW DAYS BEFORE THE START OF THE TRIALS.

WHILE CO-OPERATING, I STILL NEEDED MORE TO FUFILL MY QUEST, SO I STARTED VOLUNTEERING AT ST. AUGUSTINES, A HUNGER AND REHABILITATION CENTER. BETWEEN ST. AUGUSTINES AND CO-OPERATING MY LIFE WAS FULL AND I FELT BETTER ABOUT MYSELF WHICH WAS VERY IMPORTANT IN MY TRANSITION.

WHEN THE TRIALS WERE OVER AND MY VOLUNTEERING WAS WINDING DOWN, I WAS NOW ABLE TO LOOK IN THE MIRROR, SMILE AND SEE A PERSON WHO MADE A POSITIVE DIFFERENCE IN LIFE, WHO I WAS NOW, STARTING TO FEEL PROUD OF.

I INTER ACTED WITH 2 F.B.I AGENTS DURING CO-OPERATION; MIKE MASSIE AND CHRISTINE OLIVER and 2 U.S. ATTORNEYS; ANN ROWLAND AND ANTONETTE BALON. I LEARNED FROM ALL OF THEM; BY EXAMPLE;

THAT HARD WORK, RESPECT, BELIEF, DEDICATION, HONESTY AND PROFESSIONALISM AS WELL AS BEING LAUD ABIDING, MAKES THE TRAITS OF A GOOD PERSON. OH, ONE ADDITIONAL THING WAS: LOVE YOUR CAREER, ^{THEY ALL SHOWED THAT ON A DAILY BASIS.} THANKS AGAIN, YOU ALL MADE A DIFFERENCE IN THE NEW FRANK RUSSO.

ENTERING THE GATES OF FEDERAL PRISON, OVER 6 YEARS AGO, I HAD TO MAKE A FAST DECISION. SHOULD I BE A BUMP ON A LOG INMATE OR SHOULD I TRY TO MAKE A DIFFERENCE AND BE A POSITIVE FORCE. I STARTED BEING A POSITIVE FORCE; TEACHING, COUNCILING, REHABILITATING, THE LIST IS ENDLESS, ENCLOSED IS A COPY OF, "MY CONTRIBUTION + ACCOMPLISHMENTS REPORT" TO REVIEW.

I HAVE RECENTLY CUT DOWN ON MY RESPONSIBILITIES DUE TO MY HEALTH PROBLEMS. I FEEL LIKE A BRIGHT AND SHINY STAR AND HAVE FORGOTTEN ABOUT THE OLD FRANK RUSSO. I LOVE MY NEW LIFE AND I'M PROUD OF ALL I'VE DONE OVER THE PAST 9 YEARS, AND WHEN I LOOK IN THE MIRROR, I LIKE WHAT I SEE.

THANKING YOU
Frank Russo

FRANK RUSSO

Contribution and Rehabilitation Accomplishments while a member of the Bureau of Prison

- ☼ Having found myself facing Federal Prison, I realized early on that I had a fundamental decision to make: would I allow myself to be just a number, biding my time, being dragged down and defeated by the negative environment I was surrounded by, or would I take "the road less traveled" and focus my energies in a positive direction by trying to help others better themselves and prepare for life beyond the prison gates. Choosing the latter "has made all the difference"; following please find a summary of the progress I have made thus far.

Federal Medical Center – Devens; Ayer, MA. (January of 2015 – Present)

Contribution and Rehabilitation Accomplishments

Suicide Watch Program (Current Position)

- Provide detailed documentation of behavioral patterns of those individuals who are under observation after being deemed "At Risk" for suicide.
- Establish and maintain lines of communication with "At Risk" individuals under observation.
- On going participation in training and education seminars and classes related to the requirements (legal and otherwise) of the program.

Education/Career Resource Center (Current Position)

- Assist individuals with materials in the preparation for life after incarceration by providing guidance and resource information in areas that effect post incarceration life.
- Provide Halfway House and Community Resources information in preparation for Re-entry.
- Provide assistance in:
 - The preparation of resumes and cover letters
 - The importance of networking
 - The interview process
- Assist in the acquiring of important Re-entry documents (Birth Certificate, Social Security Card, Identification, Credit Reports, Drivers License)
- Help navigate issues surrounding housing for post-incarcerated individuals.

Adult Continuing Education (ACE) and Release Preparation Program (RPP) - Instructor

Instructor, Parenting Class (RPP)

- Instructed participants in a program centered on maintaining relationships with children and family values.

Instructor, Recidivism Class (RPP)

- Instructed participants to necessary lifestyle changes and actions designed to avoid recidivism.

EXHIBIT

G

tabbles

Instructor, Real Estate Class (ACE)

- Explained the real estate market by highlighting its critical components: mortgage, interest rates, purchase contracts, lease vs. buy decisions, etc.

Instructor, Housing Options (ACE)

- Designed and presented a program centered on investigating housing opportunities and options available to individuals upon release.

Instructor, Food Service Opportunities (ACE)

- Presented a program that explored the many opportunities available in the food service industry (from fast food to gourmet dining).

Instructor, Food Truck Operations (ACE)

- Introduced participants to the ownership and operation of a business in the food truck industry using a 19 step program demonstrating how delivering fresh and delicious food in optimal locations can be extremely lucrative.

Instructor, K-9 Responsibilities Program (ACE)

- Designed, developed, and presented a program centered around the responsibilities in owning a dog, along with tips on how to match up the "right owner" with the "right dog". Topics covered included: training, exercise, veterinary needs and costs, animal shelter vs. high end purchase, pedigree vs. mixed breeds, and careers in the industry.

Adult Continuing Education (ACE) and Release Preparation Program (RPP) - Participant**Re-entry Programs (RPP)**

- Money Smart
- Basic Keyboarding
- Introduction to H.V.A.C.
- Recidivism
- Basics of Banking
- Employment Skills

Educational and Recreational (ACE)

- Introduction to Science
- Study of the Planets
- Navigating the Electronic Law Library
- Advanced Drawing
- Card Making

Health and Wellness (RPP)

- Diabetes Care
- Nutrition
- Fitness and Safety
- Basic Cognitive Skills
- Inmate Companion Watch

Specialty Program Participation**The Family Greeting Card Project**

- A personally created and ongoing project, which encourages inmates who have taken the parenting class to continue to maintain the lines of communication with children and loved ones by creating and sending greeting cards and other artistic projects. Now entering its fourth year as a major success and program beneficial to all who have participated.

Jericho Circle

- A program assisting inmates in dealing with the problems faced both inside and outside the institution. A safe environment is created providing an area for giving and receiving advice and exploring methods to understand and take responsibility for one's actions.

Federal Correctional Institution – Loretto; Loretto, PA (November, 2012 to January, 2015)

Contribution and Rehabilitation Accomplishments

Library and Resource Center

- Create and maintain a system for cataloging, organizing and returning books to the library.
- Implemented a system to assist inmates in finding books/titles and periodicals.
- Improve the process for inmates to donate books and periodicals.

Education Department

- Developed and maintained both a weekly and yearly schedule plan for Adult Continuing Education (ACE) Programs
- Reviewed inmate progress in programing in order to assist them in establishing a more formalized plan for participation in both Adult Continuing Education and Release Preparation Program classes.
- Streamlined process for participant enrollment in classes and programs.

Adult Continuing Education (ACE) and Release Preparation Program (RPP), Instructor

- Parenting (12 Semesters)
- Real Estate Planning (4 Semesters)
- Culinary Arts
- Restaurant Concepts (3 Semesters)
- Restaurant Employment (2 Semesters)
- Housing Solutions (3 Semesters)
- Reading is Fundamental
- G.E.D. – Math (2 Semesters)

Adult Continuing Education (ACE) and Release Preparation Program (RPP) - Participant

Re-Entry Programs (RPP)

- Business Marketing
- Employment Skills
- Construction Management
- Release Requirements

Health and Wellness (RPP)

- Fitness and Safety
- Nutrition and Wellness

Recreational (ACE)

- Drawing
- Job Fair

Specialty Program Participation:

The Family Greeting Card Project

- A personally created project (in 2013) that encourages inmates who have taken the parenting class to maintain the lines of communication with children and loved ones and family members by creating and sending greeting cards and other artistic projects.

☀ The path I've traveled since being incarcerated has not been an easy one. I have tried my best, despite my health conditions, to take every opportunity I have to positively impact the lives of the individuals I have met within these walls, and as such, my life has been enriched as well.